

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claim 21 is amended to correct a typographical error. Claims 1, 2, 4, 6-14, 16, 18-23, and 25 are now pending in this application.

Claim Rejections Under 35 U.S.C. § 103(a)

In section 4 of the Office Action, Claims 1, 2, 4, 6-14, 16, 18-23, and 25 are rejected as being unpatentable over United States Patent No. 7,006,671 to Yamaguchi (hereinafter "Yamaguchi") in view of United States Patent No. 7,068,309 to Toyama et al. (hereinafter "Toyama"), in view of United States Patent No. 6,947,578 to Lee (hereinafter "Lee"), and further in view of United States Patent No. 6,988,075 to Hacker (hereinafter "Hacker"). Applicants respectfully traverse the rejection.

- A. Alone or in combination, Yamaguchi, Toyama, Lee, and Hacker fail to teach, suggest, or describe selectively presenting a summary profile in the user interface, wherein the summary profile comprises a plurality of images of the individual captured at different times

Claims 1, 14, and 21 recite "selectively present[ing] a summary profile in the user interface, wherein the **summary profile comprises a plurality of images of the individual captured at different times**." (Emphasis added). On page 4 of the Office Action, the Examiner acknowledges that "Yamaguchi and Toyama do not teach selectively presenting a summary profile in the user interface, wherein the summary profile comprises a plurality of images of the individual captured at different times. However, the Examiner goes on to state that Lee discloses such a limitation at Fig. 8A. Applicants respectfully disagree.

Lee is directed toward "[a] system (10) for capturing identification data pertaining to a subject" (Abstract). The system of Lee includes "a plurality of image capturing devices 300a, 300b, 300c" (Col. 5, lines 7-8; Fig. 1). The "image capture devices 300a-300c are controlled to capture the graphic representations in substantially concurrent manner." (Col. 5, lines 16-18). As such, the capture devices "simultaneously capture multiple views of subject 20,

[and] a single flash or illumination cycle of lighting system 500 may be efficiently shared for the capture of such multiple views.” (Col. 7, lines 61-64; emphasis added). Lee goes on to state that the problems “plaguing the separate capture of images is thus avoided.” (Col. 7, lines 66-67). These problems include “disuniformity of exposures,” and “the lack of precise correspondence between separately acquired views of subject 20.” (Col. 7, line 64 – col. 8, line 5). Figure 8A of Lee illustrates “a plurality of views 1152a, 1152b, 1152c of the subject captured concurrently from different angular perspectives.” (Col. 10, lines 30-32; Fig. 8A).

Thus, Lee discloses a system in which three cameras are used to simultaneously capture three images of a subject from various perspectives. Lee does not teach, suggest, or describe “a summary profile” which “comprises **a plurality of images** of the individual **captured at different times**,” as recited in Claims 1, 14, and 21. (Emphasis added). Applicants respectfully submit that simultaneously capturing mug shots of an individual is not the same as a summary profile with images captured at different times. Moreover, as discussed above, Lee teaches away from capturing images at different times because of the lack of correspondence between images. MPEP § 2141.02 states that “[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention.”

Hacker also fails to teach, suggest, or describe “a summary profile” which “comprises a plurality of images of the individual captured at different times,” as recited in Claims 1, 14, and 21. For at least these reasons, Applicants respectfully submit that Claims 1, 14, and 21 are in condition for allowance, and request withdrawal of the rejection under 35 U.S.C. § 103(a). For at least the same reasons, Applicants respectfully request withdrawal of the rejection of Claims 2, 4, and 6-13, which depend from Claim 1, Claims 16 and 18-20, which depend from Claim 14, and Claims 22, 23, and 25, which depend from Claim 21.

B. Alone or in combination, Yamaguchi, Toyama, Lee, and Hacker fail to teach, suggest, or describe a multi-modal chronological dossier of the individual

Claims 1 and 14 recite “including time information with the captured media, biometric, and database information associated with an individual **to create a multi-modal chronological**

dossier of the individual.” (Emphasis added). Similarly, Claims 1, 14, and 21 recite “a **plurality of images** of the individual **captured at different times as part of**” the “**multi-modal chronological dossier of the individual**.” (Emphasis added). On page 5 of the Office Action, the Examiner acknowledges that “Yamaguchi, Toyama, and Lee does not expressly teach the multi-modal chronological dossier of the individual.” However, the Examiner goes on to state that “*Hacker teaches the multi-modal chronological dossier of the individual (See Fig. 2; chronological table of contents (TOC), or from other categorized sections 220 such as by doctor, by diagnostic test, by prescription, etc. The browser window can also provide a menu 230 for selecting other tools for viewing data from the patient’s record, col. 8, lines 46-67).* (Emphasis in original). Applicants respectfully disagree.

Hacker is directed toward “[a]n electronic medical record system ... for centrally storing patients medical records electronically on a database for patient-controlled remote access by both patients and medical providers.” (Abstract). With reference to Figure 2, Hacker discloses that “hypertext links to the records can be chosen from a chronological table of contents (TOC), or from other categorized sections 220 ...” (Col. 8, lines 62-64). Thus, Hacker discloses a chronologically organized list of medical events associated with a patient.

Applicants respectfully submit that a chronologically organized list of events is not the same as a multi-modal chronological dossier of an individual, as recited in the claims. The multi-modal dossier is created based on captured media, biometric, and database information associated with the individual. Hacker does not teach, suggest, or describe capturing information and forming the captured information into a multi-modal dossier. Rather, Hacker discloses making already available information accessible through a network. Applicants respectfully submit that displaying existing information in chronological order is not the same as “creating” a “multi-modal chronological dossier” based on captured information. Further, Hacker does not teach, suggest, or describe “a **plurality of images** of the individual **captured at different times as part of**” the “**multi-modal chronological dossier** of the individual,” as recited in Claims 1, 14, and 21.

For at least these reasons, Applicants respectfully submit that Claims 1, 14, and 21 are in condition for allowance, and request withdrawal of the rejection under 35 U.S.C. § 103(a). For at least the same reasons, Applicants respectfully request withdrawal of the rejection of Claims 2, 4, and 6-13, which depend from Claim 1, Claims 16 and 18-20, which depend from Claim 14, and Claims 22, 23, and 25, which depend from Claim 21.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extension of time is needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 26, 2007

By Christopher L. Kalafut

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4286
Facsimile: (608) 258-4258

Christopher L. Kalafut
Attorney for Applicant
Registration No. 57,946